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10/799,461	03/12/2004	Brian Gerard Goodman	TUC920040001US1	7713

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John H. Holcombe
IBM Corporation
Intellectual Property Law
8987 E. Tanque Verde Rd. #309-374
Tucson, AZ 85749-9610

EXAMINER	
KARIMI, PEGEMAN	
ART UNIT	PAPER NUMBER
2629	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/799,461	GOODMAN ET AL.	
	Examiner	Art Unit	
	PEGEMAN KARIMI	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02/13/2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *45-52 and 54-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *45-52 and 54-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment filed on 02/13/2008 has been entered and considered by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 45-52 and 54-56 rejected under 35 U.S.C. 103(a) as being unpatentable over Kayser (U.S. Patent No. 6,089,453) in view of Hausler (U.S. Patent No. 6,082,844).

As to claim 45, Kayser discloses In an automated data storage library (162, which stores the display tag addresses) a system comprising (system of Fig. 2):

a network (communication network, 27); and

electronic devices (20), a plurality of said electronic devices (20) each comprising:

a network interface (31) to said network (27):

an electronic persistent visual display (156) mounted at said electronic device (col. 46, lines 47-48).

Said electronic persistent visual display having an input (C, conductor), said electronic persistent visual display configured to provide a visual label display (Fig. 17a, 317) which persists indefinitely The information on the label can be changed see Fig. 18b). Until updated by an input signal at said input (col. 12, lines 12-18 and col. 68, lines 55-61);

At least one operational element (158) for operating said automated data storage library (the data storage library is operated by the integrated circuit 161, which includes the display driver 158, the address store stores the display tag address, which is displayed by the display driver 158) an operational element for at least one said electronic device (the operation element 158 for the electronic devices 20); and

A processor (146) configured to operate said at least one operational element (col. 66, lines 21-23);

Said processor configured to store information regarding said at least one operational element and said processor (down loaded address for the tags), (the processor stores the display tag address, col. 66, lines 38-43); and

Said processor configured to, in response to a predetermined state (start-up), provide an update input signal (product information) at said electronic persistent visual display input (20), said update input signal comprising selected said information regarding said at least one operational element and said processor (down loaded address for the tags), (the processor stores the display tag address, col. 66, lines 38-43) stored by said processor (software initialization, col. 13, lines 37-42 and col. 69, lines

35-41), said update signal to update said visual label display of said electronic persistent visual display (col. 12, lines 12-14).

Kayser does not mention a robot accessor. Hausler teaches an operational element comprising at least one robot accessor (16), (col. 3, lines 14-17). Therefore it would have been obvious to one of ordinary skilled in the art at the time the invention was made to have added the robot accessor of Hausler to the an automated data storage library system of Kayser because to accessing data storage media from shelves and providing the data storage media to the data storage drives. (col. 1, lines 8-10).

As to claim 46, Kayser teaches wherein said predetermined state (start-up) of said processor of said at least one electronic device (20) comprises a power-on and/or reset of said electronic device (col. 26, lines 59-60).

As to claim 47, Kayser teaches wherein said processor of each of said plurality of electronic devices comprises:

a programmable computer processor (col. 68, lines 63-67) and said predetermined state (power-on self-test) of said processor comprises completion of an update to computer readable program code (displaying the received data packet) of said programmable computer processor (col. 69, lines 14-19).

As to claim 48, Kayser teaches wherein said processor (146) of each of said plurality of electronic devices (20) additionally is configured to update said information

regarding said at least one operational element and said processor (down loaded address for the tags), (the processor stores the display tag address, col. 66, lines 38-43) stored by said processor (col. 68, lines 37-46) with status information (new look up table) related to said update to computer readable program code of said programmable computer processor (col. 26, lines 46-56), and said processor update signal selected information comprises at least said status information (col. 26, lines 46-49).

As to claim 49, Kayser teaches wherein said processor of each of said plurality of electronic devices comprises:

programmable logic (display driver, 158) and said predetermined state of said processor comprises completion of an update to said programmable logic (252, col. 69, lines 17-19).

As to claim 50, Kayser teaches wherein said processor of each of said plurality of electronic devices additionally is configured:

to update said information regarding said at least one operational element and said processor (down loaded address for the tags), (the processor stores the display tag address, col. 66, lines 38-43) stored by said processor (col. 26, lines 46-50) with a version number of said updated to said programmable logic (new display tag to be added), and said processor update signal selected information (look-up table) comprises at least said version number of said update to said programmable logic (252, col. 69, lines 17-19).

As to claim 51, Kayser teaches wherein said predetermined state of said processor comprises:

a state achieved (steps 1344 through 1347, fig. 13e) in response to an indication of completion (new display tag) of an engineering change to said electronic device (adding a display tag, col. 27, lines 39-41 and lines 55-57).

As to claim 52, Kayser teaches wherein said processor of each of said plurality of electronic devices additionally is configured:

to update said information regarding said at least one operational element and said processor (down loaded address for the tags), (the processor stores the display tag address, col. 66, lines 38-43) stored by said processor (col. 68, lines 37-43) with an engineering change number of said engineering change to said electronic device (1344, fig. 13e), and said processor update signal selected information comprises at least said engineering change number of said engineering change (col. 68, lines 40-46), (steps 1344-1347).

As to claim 54, Kayser teaches wherein said processor of each of said plurality of electronic devices additionally is configured:

to update said information regarding said electronic device stored by said processor (col. 68, lines 37-43) with status information related to said change to said at least one operational element and said processor (down loaded address for the tags),

(the processor stores the display tag address, col. 66, lines 38-43), (1344, fig. 13e), and said processor update signal selected information comprises at least said status information (col. 68, lines 40-46).

As to claim 55, Kayser teaches wherein said predetermined state of said processor comprises a state achieved (steps 1344 through 1347) in response to a signal received at said network interface (new tag setup, col. 27, lines 55-57, col. 18, lines 1-7, col. 68, lines 40-46).

As to claim 56, Kayser teaches wherein said processor of each of said plurality of electronic devices additionally is configured to select (address which matches its stored address) said information stored by said processor in accordance with said signal received at said network interface (col. 18, lines 1-7, col. 68, lines 40-46).

Response to Arguments

4. Applicant's arguments, filed on 10/30/2007, and arguments filed on 02/13/2008 with respect to the rejection(s) of claim(s) 45-57 under 102(b) have been fully considered and are persuasive; However, upon further consideration, a new ground(s) of rejection is made in view of Hausler (U.S. Patent No. 6,082,844).

In view of argument, the reference of Hausler has been added for new ground of rejections.

Claim 45 is rejected under 35 US.C 102(e), on page 2, lines 10-12 of claim 45, the applicant has amended claim 45 to read such that operational element for at least one said electronic device comprising at least one robot accessor. The new reference of Hausler teaches a robot accessor (16) to access data storage media from shelves and providing the data storage media to the data storage drives. The "robot accessor" of Hausler is combined with the invention of Kayser to teach accessing the data storage media and providing data storage media to the device of Kayser by displaying the data stored on the data storage media on the display of the device of Kayser.

Applicant argues that Kayser teaches away from and does not disclose "operational element for operating said automated data storage library". Operational element (158) for operating said automated data storage library (the data storage library is operated by the integrated circuit 161, which includes the display driver 158, the address store stores the display tag address, which the information corresponding to a certain tag address is displayed by the display driver 158).

Applicant also argues that "at least one operational element and said processor stored by said the processor". The definition of "said processor stored by sad processor" can be read as the data stored in RAM and ROM is also stored by the address store. Kayser mentions at least one operational element and said processor (down loaded address for the tags), (the processor stores the display tag address, col. 66, lines 38-43). The data of each tag is stored in RAM 148 and ROM 150 and in case of a power failure the tag addresses are preserved by the battery backup.

Inquiry

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PEGEMAN KARIMI whose telephone number is (571)270-1712 and direct fax number is (571) 270-2712. The examiner can normally be reached on Monday-Thursday 8:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Pegeman Karimi/
Examiner, Art Unit 2629
May 19, 2008

/Chanh Nguyen/
Supervisory Patent Examiner, Art Unit 2629